

Attorney Docket: BHT/3204-35

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : CHEN
Application No. : 09/832,808
Filed : April 12, 2001
Title : REMOTE-END ROUTE-CALCULATING
NAVIGATION SYSTEM
Group Art Unit : 3661
Examiner : G. Chin
Attorney Docket : BHT/3204-35

RECEIVED
CENTRAL FAX CENTER
DEC 22 2003
OFFICIAL

VIA FACSIMILE - 9 PAGES
(703-305-7687)

MAIL STOP PETITION BRANCH
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL COVER SHEET

Sir:

Transmitted herewith for filing are the following:

1. PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON FAILURE TO RECEIVE OFFICE ACTION.
2. APPENDICES A-E.

The Commissioner is hereby authorized to charge any fees which may be required for the filing of this document to Deposit Account No. 501874.

Respectfully submitted,

Date: December 23, 2003

By:


Bruce H. Troxell
Reg. No. 26,592

Troxell Law Office PLLC
5205 Leesburg Pike, Suite 1404
Falls Church, Virginia 22041
Telephone: 703 575-2711
Telefax: 703 575-2707

Attorney Docket: BHT/3204-35

#Petition
J.D.
3/11/04
SB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

DEC 22 2003

OFFICIAL

Applicant : CHEN
Application No. : 09/832,808
Filed : April 12, 2001
Title : REMOTE-END ROUTE-CALCULATING
NAVIGATION SYSTEM
Group Art Unit : 3661
Examiner : G. Chin
Attorney Docket : BHT/3204-35

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
BASED ON FAILURE TO RECEIVE OFFICE ACTION

Sir:

The undersigned hereby petitions the Commissioner for Patents to withdraw the holding of abandonment in the above-identified U.S. patent application based on failure to receive an Office Action, as set forth in MPEP § 711.03(c)II.

On April 30, 2003, the undersigned submitted a Request for Continued Examination (RCE), Revocation of Power of Attorney and Appointment of New Attorney, a Change of Address Form, a Preliminary Amendment, a Petition for a Three-Month Extension of Time along with check no. 7468 for \$840 to cover the extension and filing fees. A copy of the receipt card bearing the date-stamp of the U.S. Patent and Trademark Office mailroom is attached hereto as Appendix A.

On October 24, 2003, a Notice of Acceptance of Power of Attorney was received. The Notice of Acceptance of Power of Attorney was mailed on October 21, 2003.

A Notice of Abandonment was received by the undersigned on November 18, 2003 bearing the mailing date of November 13, 2003. The Notice of Abandonment

Application No. 09/832,808

indicated that this application was abandoned due to Applicant's failure to timely pay the required Issue Fee. A copy of the Notice of Acceptance of Power of Attorney is attached hereto as Appendix B and a copy of the Notice of Abandonment is attached hereto as Appendix C.

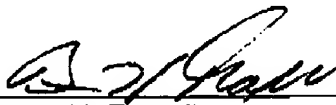
Applicant believes that a Notice of Allowance was mailed on June 4, 2003, and a Notice of Allowability was mailed on either June 2, 2003, or with the Notice of Allowance on June 4, 2003. The undersigned never received the Notice of Allowance, or the Notice of Allowability. A search of the file jacket for this application and the docket records indicates that neither the Notice of Allowance, nor the Notice of Allowability were received. A copy of the docket records for September 4, 2003, and September 2, 2003, are attached hereto as Appendices D and E. No record of the present application can be found in either of the aforementioned docket records.

It is requested that this application be returned to pending status and that the Notice of Allowance be reissued.

Respectfully submitted,

Date: December 23, 2003

By:


Bruce H. Troxell
Reg. No. 26,592

Troxell Law Office PLLC
5205 Leesburg Pike, Suite 1404
Falls Church, Virginia 22041
Telephone: 703 575-2711
Telefax: 703 575-2707

APPENDIX A

S/C 4-30-04 (20)

CLIENT: EVERS
Due Date: April 30, 2003

Attorney Docket: BHT/3204-35
Initials: BHT/mg

Applicant : CHEN
Application No. : 09/832,808
Filed : April 12, 2001
Title : REMOTE-END ROUTE-CALCULATING
NAVIGATION SYSTEM
Group Art Unit : 3661
Examiner : G. Chin
Docket No. : BHT/3204-35



Transmitted herewith for filing are the following:

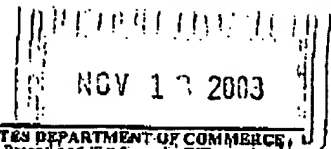
1. TRANSMITTAL COVER SHEET.
2. REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL.
3. REVOCATION OF POWER OF ATTORNEY AND APPOINTMENT OF NEW ATTORNEY.
4. CHANGE OF ADDRESS.
5. PRELIMINARY AMENDMENT.
6. Petition for Three-Month Extension of Time.
7. Check No. 7468 for \$840 (extension \$465; filing fee \$375).

Receipt is hereby acknowledged by the U.S. Patent and Trademark Office of the above-identified papers.



APPENDIX C

UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,808	04/12/2001	Stephen Chen	MR2387-220	3204-35419
	7390 11/13/2003			
Bruce H. Troxell 5205 Leesburg Pike Suite 1404 Falls Church, VA 22041			EXAMINER CHIN, GARY	
			ART UNIT	PAPER NUMBER
			3661	

DATE MAILED: 11/13/2003

p #16

Please find below and/or attached an Office communication concerning this application or proceeding.

APPENDIX C - Page 2



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

APPLICATION NUMBER 09/832,808	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
----------------------------------	-------------	-----------------------	---------------------

EXAMINER

ART UNIT	PAPER NUMBER
----------	--------------

DATE MAILED:

p #16

NOTICE OF ABANDONMENT

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper response to the Office letter mailed on _____.
- ☐ A response (with a Certificate of Mailing or Transmission of _____) was received on _____, which is after the expiration of the period for response (including a total extension of time of _____ month(s)) which expired on _____.
- ☐ A proposed response was received on _____, but it does not constitute a proper response to the final rejection.

(A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).

- ☐ No response has been received.
- ☒ Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.
- ☐ The issue fee (with a Certificate of Mailing or Transmission of _____) was received on _____.
- ☐ The submitted issue fee of \$_____ is insufficient. The issue fee required by 37 CFR 1.18 is \$_____.
- ☒ The issue fee has not been received.
- ☐ Applicant's failure to timely file new formal drawings as required in the Notice of Allowability.
- ☐ Proposed new formal drawings (with a Certificate of Mailing or Transmission of _____) were received on _____.
- ☐ The proposed new formal drawings filed _____ are not acceptable.
- ☐ No proposed new formal drawings have been received.
- ☐ The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on _____.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:

ABANDONMENT
CONTACT PERSON IS:
TOM HAWKINS
305-8380

FORM PTO-1432 (REV. 10-95)

APPENDIX D

THURSDAY

4

SEPTEMBER

10/342,183	LIU	filed 5-5-03 MBH 3167-90	DRUGS. DEADLINE	BHT
76/446,216	"MS-CSP"	ABANDONED IC 5-27-03 MBH 3226-12	RESP. DEADLINE	BHT
76/348,942	"CAMDEN"	filed 9-3-03 MBH 3153-25	SOU DUE	BHT
76/348,929	"THAMES"	filed 9-3-03 MBH 3153-19	SOU DUE	BHT
10/060,357	IEW	filed 6-4-03 MBH 3126-141	RESP. DEADLINE	BHT
10/301,751	PAI	filed 9-3-03 MBH 3215-17	RESP. DUE	BHT
09/945,843	LIN	filed 8-4-03 MBH 3092-242	IF DEADLINE	BHT
10/187,979	KUO	filed 9-3-03 MBH 3098-120	RESP. DUE	BHT
09/651,588	HUANG	Extend me 3101-80	ⓔ RESP. DUE	BHT
10/097,941	HUANG	ABANDONED IC 7-8-03 MBH 3123-68	RESP. DUE	BHT
10/166,110	NIEN	filed 9-3-03 MBH 3125-99	RESP. DUE	BHT
10/058,324	SU	Extend me 3129-65	RESP. DUE	BHT
10/036,504	CHANG	filed 8-2-03 MBH 3111-227	RESP. DUE	BHT
10/154,805	CHANG	Extend me ABANDONED IC fix 5-3-03 MBH 3111-252	RESP. DUE	BHT
76/351,271	"AUDIO PHILOSOPHY"	filed 9-3-03 MBH 3126-151	RESP. DEADLINE	BHT
10/366,621	CHANG	filed 9-3-03 MBH 3126-155	RESP. DUE	BHT

2003 245th day - 120 days follow

APPENDIX E

TUESDAY

2

SEPTEMBER

156050(I) THH ^{filed 5-28-03 MBH} 3129-94 Deadline (6-mo) GRACE Period - Perceived BHT
~~ABANDONED FC 11-17-03 MBH~~
76/473, 864 "STORMRIDER" 3105-15 RESP. REM. BHT
~~filed 12-1-03 MBH~~
76/474, 358 "CONCORD" 3105-17 RESP. REM. BHT
~~filed 9-2-03 MBH~~
29/173, 074 YAO 3117-110 RESP. DUE BHT
~~filed 9-24-03 MBH~~
09/772, 897 MORIN 3136-10 IF & DWGS REM. BHT
~~Paid 9-24-03 MBH~~
09/841, 121 LIAO 3107-166 IF REM. BHT
~~Paid 9-24-03 MBH~~
10/044, 982 CHEN 3167-35 IF REM. BHT
~~Paid 9-17-03 MBH~~
10/329, 344 HUANG 3127-47 IF REM. BHT
~~ABANDONED~~
09-543, 334 Wong 3107-41 due + 2x to (FR) 4-2 BHT